



LINDA LINGLE
Governor
State of Hawaii

ALBERT TUFONO
Chairperson
Hawaii Paroling Authority

DANE ODA
Board Member

ROY W. REEBER
Board Member

MAX OTANI
Paroles & Pardons Administrator

RICHARD YEN
Field Branch Administrator

2010 ANNUAL STATISTICAL REPORT

FISCAL YEAR 2010

JULY 1, 2009 TO JUNE 30, 2010

HAWAII PAROLING AUTHORITY

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
HAWAII PAROLING AUTHORITY

1177 Alakea Street, Ground Floor
Honolulu, Hawaii 96813

ALBERT TUFONO
CHAIR

ROY W. REEBER
MEMBER

GAIL MURANAKA
MEMBER

TOMMY JOHNSON
ADMINISTRATOR

No. _____

January 12, 2011

The Honorable Neil Abercrombie
Governor of the State of Hawaii
State Capitol Building
Honolulu, Hawaii 96813

RE: Annual Report of the Hawaii Paroling Authority for Fiscal Year 2010

Dear Governor Abercrombie:

I submit to you the annual report for the Hawaii Paroling Authority (HPA) for FY 2010 (1 July 2009 – 30 June 2010). The data contained herein is self-explanatory and clearly indicates that HPA continues to work hard serving the public through sound decisions that are fair, firm and consistent and in the best interest of public safety.

The HPA is continuing to meet its mandate. The parole board is making good decisions based on the information they are provided by the Department of Public Safety's case management staff. Inmates are participating more frequently in transition programs that are assisting them with a step down approach into the community thus making them better candidates for success on parole.

The HPA staff is providing the appropriate level of service and assistance. The supervision staff is trained using "best practices" approach to supervision thus allowing parolees to seek services in the community rather than returning them to prison while ensuring that risk to the community is not compromised. Part of this success can be attributed to community-based programs that provide treatment alternatives and services while they are in the community.

Finally, I was asked by Governor Linda Lingle to restore credibility, honesty and integrity to the Parole process. I believe the Parole Board has restored confidence in the Parole process and the community is benefiting from a Parole system that works. I want to take this opportunity to sincerely thank the staff of the HPA for their continued hard work, dedication, commitment and selfless service. It has truly been a pleasure to work along side a fine group of civil servants. As always, we take great pride in our accomplishments and trust that they are recognized and appreciated by the public we serve. I know HPA will continue to strive to move forward.

Aloha,

Albert Tufono

Chairman, Hawaii Paroling Authority

FISCAL YEAR 2007-2008 THROUGH FISCAL YEAR 2009-2010

<u>AUTHORITY ACTIONS/DECISION</u>	<u>FISCAL YEAR</u>		
	<u>07-08</u>	<u>08-09</u>	<u>09-10</u>
1. Minimum Terms Fixed	2746	2692	2751
a. Number of Persons for Whom Minimum Terms Fixed	787	740	760
2. Application for Reduction of Minimum Sentences	127	119	114
a. Granted	2	3	2
b. Denied	125	116	112
3. Number of Parole Consideration Hearing	1987	2204	2115
Number of Persons Considered for Parole	1626	1749	1667
a. Number of Paroles Granted	647	736	718
b. Number of Paroles Denied	1235	1367	1233
c. Number of Paroles Deferred/Continued	104	100	161
d. Number of Escape	1	1	2
4. Number of Actual Parolees Release	652	694	692
5. Parole Violation Hearings	305	297	243
a. Parole Revoked	284	259	220
b. Continued on Parole/Deferred	16	33	14
c. Deferred	5	5	9
6. Paroles Suspended Because Person's Whereabouts Unknown	151	75	47
7. Discharge from Parole	389	435	335
a. Ordered to Serve Full Parole Term Before Discharge	273	287	225
b. Early Discharge Approved	103	126	96
c. Deceased	13	22	14
8. Inmate Interview/Reviews	15	15	14
9. Pardon Investigation Considered	45	58	68

TABLE 1**OFFENSES & NUMBER OF MINIMUM SENTENCES ESTABLISHED, AVERAGE LENGTH OF
MINIMUM SENTENCES AND RANGE OF MINIMUMS ESTABLISHED****July 1, 2009 to June 30, 2010****NUMBER OF MINIMUM TERMS FIXED
NUMBER OF PERSONS FOR WHOM MINIMUM TERMS FIXED**

<u>OFFENSES AGAINST PROPERTY</u>	<u>No. of Minimum Sentences Fixed</u>		<u>Average Length of Minimum Sentence</u>	<u>Range of Minimum Sentence</u>
	<u>Person</u>	<u>Offenses</u>		
Accomplice to Theft First Degree	2	2	5.00 yrs.	5.00 yrs.
Attempted Burglary Second Degree	3	3	3.83 yrs.	3 yrs. - 5 yrs.
Attempted Criminal Property Damage First Degree	1	1	9.00 yrs.	9.00 yrs.
Attempted Theft Second Degree	18	31	4.35 yrs.	1.67 yrs. - 5 yrs.
Attempted Unauthorized Entry into Motor Vehicle	3	3	5.00 yrs.	5.00 yrs.
Attempted Unauthorized Control Of Propelled Vehicle	13	13	3.69 yrs.	1.50 yrs. - 5 yrs.
Bribery	1	1	1.16 yrs.	1.16 yrs.
Burglary First Degree	59	109	5.35 yrs.	0.61 yrs. - 10 yrs.
Burglary Second Degree	34	49	3.56 yrs.	1 yr. - 6 yrs.
Credit Card Forgery	1	1	2.00 yrs.	2.00 yrs.
Credit Card Theft	1	3	5.00 yrs.	5.00 yrs.
Criminal Conspiracy to Commit Theft First Degree	1	1	2.00 yrs.	2.00 yrs.
Criminal Possession of a Forgery Device	1	1	2.50 yrs.	2.50 yrs.
Criminal Property Damage First Degree	13	24	5.57 yrs.	1 yr. - 10 yrs.
Criminal Property Damage Second Degree	5	7	3.57 yrs.	2.50 yrs. - 5 yrs.
Criminal Trespass First Degree	1	1	2.60 yrs.	2.60 yrs.
Forgery Second Degree	55	332	3.58 yrs.	0.15 yrs. - 5 yrs.
Fraudulent Use of Credit Card	24	43	3.73 yrs.	0.36 yrs. - 5 yrs.
Identity Theft First Degree	2	3	3.50 yrs.	2.50 yrs. - 4 yrs.
Identity Theft Second Degree	18	33	5.46 yrs.	0.36 yrs. - 8 yrs.
Identity Theft Third Degree	12	14	3.13 yrs.	0.36 yrs. - 5 yrs.
Illegal Ownership of a Business	2	4	5.00 yrs.	5.00 yrs.
Insurance Fraud	1	1	5.00 yrs.	5.00 yrs.
Theft of Utility Services in the First degree	2	3	4.33 yrs.	3 yrs. - 5 yrs.
Money Laundering; Criminal Penalty	3	3	4.00 yrs.	2 yrs. - 5 yrs.
Sale or Manufacture of Deceptive Identification Document	1	1	2.50 yrs.	2.50 yrs.
Theft First Degree	11	12	4.22 yrs.	0.78 yrs. - 8.50 yrs.
Theft Second Degree	147	243	3.46 yrs.	0.11 yrs. - 10 yrs.
Theft, Forgery Etc. of Credit Cards	13	20	3.48 yrs.	1.67 yrs. - 5 yrs.
Theft of Livestock	1	1	1.67 yrs.	1.67 yrs.
Unauthorized Control of Propelled Vehicle	108	142	3.21 yrs.	0.15 yrs. - 5 yrs.
Unauthorized Entry into a Dwelling	1	1	3.00 yrs.	3.00 yrs.
Unauthorized Entry into Motor Vehicle First Degree	82	115	3.61 yrs.	0.72 yrs. - 5 yrs.
Unauthorized Possession of Confidential Personal Information	38	98	3.40 yrs.	0.36 yrs. - 6 yrs.
SUBTOTAL:	<u>678</u>	<u>1,319</u>		

TABLE I (continued)

OFFENSES AGAINST PERSONS	No. of Minimum Sentences Fixed		Average Length of Minimum Sentence	Range of Minimum Sentence
	Person	Offenses		
Accidents Involving Death or Serious Bodily Injury	3	3	4.50 yrs.	1.50 yrs. - 7 yrs.
Accidents Involving Substantial Bodily Injury	1	1	8.00 yrs.	8.00 yrs.
Assault against a Law Enforcement Officer Second Degree	9	10	3.45 yrs.	2 yrs. - 5 yrs.
Assault First Degree	19	22	5.98 yrs.	1.50 yrs. - 10 yrs.
Assault Second Degree	53	71	3.40 yrs.	0.86 yrs. - 5 yrs.
Assault Third Degree	1	1	2.50 yrs.	2.50 yrs.
Attempted Assault First Degree	3	5	7.80 yrs.	6 yrs. - 9 yrs.
Attempted Assault Second Degree	1	1	7.50 yrs.	7.50 yrs.
Attempted Kidnapping	1	1	50.00 yrs.	50.00 yrs.
Attempted Manslaughter	3	3	7.17 yrs.	4 yrs. - 10 yrs.
Attempted Murder Second Degree	6	6	59.00 yrs.	15 yrs. - 225 yrs.
Criminal Conspiracy to Commit Murder	1	1	5.00 yrs.	5.00 yrs.
Extortion First Degree	1	1	6.00 yrs.	6.00 yrs.
(Felony) Abuse of a Family and/or Household Member	11	12	2.60 yrs.	1.09 yrs. - 4 yrs.
Intimidating a Witness	1	1	5.00 yrs.	5.00 yrs.
Kidnapping	18	25	7.37 yrs.	1.17 yrs. - 20 yrs.
Manslaughter	12	12	18.92 yrs.	5 yrs. - 75 yrs.
Murder Second Degree	23	24	56.54	12 yrs. - 225 yrs.
Negligent Homicide First Degree	3	3	7.83 yrs.	7 yrs. - 8.50 yrs.
Negligent Homicide Second Degree	1	1	0.34 yrs.	0.34 yrs.
Negligent Injury First Degree	3	3	3.83 yrs.	3.83 yrs.
Promoting Child Abuse First Degree	3	5	16.00 yrs.	5 yrs. - 20 yrs.
Promoting Child Abuse Second Degree	1	2	7.75 yrs.	7.75 yrs.
Reckless Endangering First Degree	3	3	3.39 yrs.	0.17 yrs. - 5 yrs.
Robbery First Degree	11	19	11.90 yrs.	3 yrs. - 20 yrs.
Robbery Second Degree	47	69	5.17 yrs.	0.15 yrs. - 15 yrs.
Terroristic Threatening First Degree	47	77	3.37 yrs.	0.75 yrs. - 5 yrs.
Terroristic Threatening Second Degree	1	3	6.67 yrs.	5 yrs. - 10 yrs.
Unlawful Imprisonment First Degree	2	2	3.50 yrs.	3 yrs. - 4 yrs.
Violation of an Order for Protection	1	6	2.50 yrs.	2.50 yrs.
SUBTOTAL:	290	393		

SEX OFFENSES	No. of Minimum Sentences Fixed		Average Length of Minimum Sentence	Range of Minimum Sentence
	Person	Offenses		
Attempted Sexual Assault First Degree	1	1	2.00 yrs.	2.00 yrs.
Attempted Sexual Assault Second Degree	1	1	10.00 yrs.	10.00 yrs.
Cont. Sexual Assault of a Minor under the Age of 14	2	2	12.50 yrs.	10 yrs. - 15 yrs.
Enticement of a Children in the First Degree	2	2	2.25 yrs.	1 yr. - 3.50 yrs.
Electronic Enticement of a Child in the 2nd degree	1	1	1.25 yrs.	1.25 yrs.
Failure to Comply with Covered Offender Registration Requirements	5	5	3.16 yrs.	0.31 yrs. - 5 yrs.
Sexual Assault First Degree	15	46	20.23 yrs.	0.70 yrs. - 50 yrs.
Sexual Assault Second Degree	22	44	7.51 yrs.	1.03 yrs. - 10 yrs.
Sexual Assault Third Degree	26	68	3.95 yrs.	1.03 yrs. - 5 yrs.
SUBTOTAL:	75	170		

TABLE I (continued)

<u>FIREARM OFFENSES</u>	<u>No. of Minimum Sentences Fixed</u>		<u>Average Length of Minimum Sentence</u>	<u>Range of Minimum Sentence</u>
	<u>Person</u>	<u>Offenses</u>		
Carrying or Possessing a Loaded Firearm on a Public Highway	1	1	5.00 yrs.	5.00 yrs.
Carrying or Use of a Firearm in Comm. of a Separate Felony	6	12	15.67 yrs.	3 yrs. - 20 yrs.
Carrying, Using or Threat to Use Firearm in Certain Crimes	4	5	5.20 yrs.	2.50 yrs. - 10 yrs.
Felon in Possession or Use of Firearm	1	1	3.00 yrs.	3.00 yrs.
Loaded Firearms	1	1	3.00 yrs.	3.00 yrs.
No Permit to Carry Firearm/Weapon	1	1	2.60 yrs.	2.60 yrs.
Ownership or Possession Prohibited	10	13	5.17 yrs.	1.67 yrs. - 10 yrs.
Place to Keep Firearm/Ammunition	32	36	6.14 yrs.	0.70 yrs. - 20 yrs.
Possession of Firearm or Ammunition by Person Convicted of Certain Crime	8	12	6.97 yrs.	2.50 yrs. - 20 yrs.
Possession of Prohibited Firearm or Device	1	1	5.00 yrs.	5.00 yrs.
Ownership/Possession Prohibited Firearm/Ammunition	1	1	6.00 yrs.	6.00 yrs.
SUBTOTAL:	<u>66</u>	<u>84</u>		

<u>DRUG OFFENSES</u>	<u>No. of Minimum Sentences Fixed</u>		<u>Average Length of Minimum Sentence</u>	<u>Range of Minimum Sentence</u>
	<u>Person</u>	<u>Offenses</u>		
Attempted Methamphetamine Trafficking First Degree	1	1	3.00 yrs.	3.00 yrs.
Attempted Unlawful Methamphetamine Trafficking	6	7	4.57 yrs.	3 yrs. - 7 yrs.
Attempted Promoting a Dangerous Drug First Degree	1	1	5.00 yrs.	5.00 yrs.
Attempted Promoting a Dangerous Drug Second Degree	2	2	5.67 yrs.	3.33 yrs. - 8 yrs.
Attempted Promoting a Dangerous Drug Third Degree	1	1	3.33 yrs.	3.33 yrs.
Commercial Promotion of Marijuana First Degree	1	1	5.00 yrs.	5.00 yrs.
Commercial Promotion of Marijuana Second Degree	2	2	5.92 yrs.	4.33 yrs. - 7.50 yrs.
Driving under the Influence of Intoxicating Liquor	1	1	4.00 yrs.	4.00 yrs.
Habitually Operating a Vehicle under the Influence of Intoxicating Liquor or Drugs	10	14	4.43 yrs.	4 yrs. - 5 yrs.
Methamphetamine Trafficking First Degree	2	3	7.33 yrs.	2 yrs. - 10 yrs.
Methamphetamine Trafficking Second Degree	31	47	3.39 yrs.	1 yr. - 10 yrs.
Promoting a Dangerous Drug First Degree	8	9	6.41 yrs.	0.47 yrs. - 15 yrs.
Promoting a Dangerous Drug Second Degree	48	65	3.75 yrs.	0.11 yrs. - 10 yrs.
Promoting a Dangerous Drug Third Degree	212	312	3.34 yrs.	0.11 yrs. - 6 yrs.
Promoting a Detrimental Drug First Degree	1	1	3.67 yrs.	3.67 yrs.
Prohibited Acts Related to Drug Paraphernalia	184	257	3.38 yrs.	0.11 yrs. - 5 yrs.
Promote Controlled Substance Near School or in School Vehicles	4	4	3.00 yrs.	1 yr. - 4.50 yrs.
Unlawful Methamphetamine Trafficking	4	8	3.75 yrs.	1 yr. - 5 yrs.
SUBTOTAL:	<u>519</u>	<u>736</u>		

TABLE I (continued)

<u>OTHER OFFENSES</u>	<u>No. of Minimum Sentences Fixed</u>		<u>Average Length of Minimum Sentence</u>	<u>Range of Minimum Sentence</u>
	<u>Person</u>	<u>Offenses</u>		
Arson in the First Degree	1	1	20.00 yrs.	20.00 yrs.
Arson in the Second Degree	1	3	0.83 yrs.	0.83 yrs.
Bail Jumping First Degree	13	13	3.12 yrs.	1.50 yrs. - 5 yrs.
Criminal Solicitation	1	1	1.50 yrs.	1.50 yrs.
Escape Second Degree	15	15	3.04 yrs.	0.87 yrs. - 5yrs.
Hindering Prosecution First Degree	1	1	5.00 yrs.	5.00 yrs.
Hunting License Required	1	1	2.60 yrs.	2.60 yrs.
Interference with operation	2	2	2.75 yrs.	2 yrs. - 3.50 yrs.
Prohibited Hunting on Private Lands	1	1	2.60 yrs.	2.60 yrs.
Prohibited Night Hunting on Private Lands	1	1	2.60 yrs.	2.60 yrs.
Promoting Prison Contraband First Degree	3	3	5.67 yrs.	4 yrs. - 8 yrs.
Promoting Prison Contraband Second Degree	4	4	3.63 yrs.	2.50 yrs. - 4 yrs.
Unlawful Hunting Hours	1	1	2.60 yrs.	2.60 yrs.
Unlawful Hunting with Artificial Light	1	1	2.60 yrs.	2.60 yrs.
SUBTOTAL:	<u>46</u>	<u>48</u>		

GRAND TOTAL FOR TABLE I

1,674 2,750

TABLE II

COMPARISON OF AVERAGE LENGTH OF MINIMUM TERMS SET AND NUMBER OF MINIMUM TERMS ESTABLISHED FOR SELECTED OFFENSES* Fiscal Year 2007-2008 through Fiscal Year 2009-2010

	<u>Fiscal Year 2007-2008</u>	<u>Fiscal Year 2008-2009</u>	<u>Fiscal Year 2009-2010</u>
<u>OFFENSES AGAINST PERSONS</u>			
Assault First Degree	5.66 yrs. (14)	4.66 yrs. (9)	5.98 yrs. (22)
Assault Second Degree	3.85 yrs. (43)	3.36 yrs. (64)	3.40 yrs. (71)
Kidnapping	7.77 yrs. (27)	10.83 yrs. (13)	7.37 yrs. (25)
Manslaughter	14.71 yrs. (7)	30.40 yrs. (5)	18.92 yrs. (12)
Murder Second Degree	46.60 yrs. (5)	68.30 yrs. (10)	56.54 yrs. (24)
Robbery First Degree	5.62 yrs. (7)	13.31 yrs. (18)	11.90 yrs. (19)
Robbery Second Degree	4.25 yrs. (48)	4.93 yrs. (51)	5.17 yrs. (69)
Terroristic Threatening First Degree	3.67 yrs. (77)	2.85 yrs. (59)	3.37 yrs. (77)
<u>OFFENSES AGAINST PROPERTY</u>			
Burglary First Degree	5.25 yrs. (79)	5.47 yrs. (109)	5.35 yrs. (109)
Burglary Second Degree	3.29 yrs. (31)	3.23 yrs. (48)	3.56 yrs. (49)
Forgery Second Degree	3.76 yrs. (190)	3.71 yrs. (152)	3.58 yrs. (332)
Theft First Degree	5.40 yrs. (35)	4.73 yrs. (18)	4.22 yrs. (12)
Theft Second Degree	3.63 yrs. (254)	3.41 yrs. (199)	3.46 yrs. (243)
Unauthorized Control of Propelled Vehicle	3.54 yrs. (217)	3.75 yrs. (257)	3.21 yrs. (142)
Unauthorized Entry into Motor Vehicle First Degree	3.68 yrs. (110)	3.73 yrs. (129)	3.61 yrs. (115)
<u>SEX OFFENSES</u>			
Sexual Assault First Degree	9.83 yrs. (18)	11.51 yrs. (45)	20.23 yrs. (46)
Sexual Assault Second Degree	7.12 yrs. (67)	7.90 yrs. (67)	7.51 yrs. (44)
Sexual Assault Third Degree	4.37 yrs. (75)	4.41 yrs. (185)	3.95 yrs. (68)
<u>DRUG OFFENSES</u>			
Methamphetamine Trafficking Second Degree	4.17 yrs. (42)	3.51 yrs. (50)	3.39 yrs. (47)
Promoting Dangerous Drug First Degree	7.35 yrs. (19)	n/a	6.41 yrs. (9)
Promoting Dangerous Drug Second Degree	4.23 yrs. (91)	4.31 yrs. (39)	3.75 yrs. (65)
Promoting Dangerous Drug Third Degree	3.42 yrs. (404)	3.28 yrs. (315)	3.34 yrs. (312)
Prohibited Acts Related to Drug Paraphernalia	3.44 yrs. (340)	3.40 yrs. (273)	3.38 yrs. (257)

*Number of Minimums established in parenthesis represents the number of minimums set by charges and not the number of individuals heard.

STATISTICAL TABLE III

TOTAL PAROLE CASELOAD

Fiscal Year 2000-2001 through Fiscal Year 2009-2010

<u>FY09-FY10</u>	<u>FY08-FY09</u>	<u>FY07-FY08</u>	<u>FY06-FY07</u>	<u>FY05-FY06</u>
1,862	1,869	1,950	2,661	2,568
<u>FY04-FY05</u>	<u>FY03-FY04</u>	<u>FY02-FY03</u>	<u>FY01-FY02</u>	<u>FY00-FY01</u>
2,340	2,380	2,622	2,591	2,595

STATISTICAL TABLE IV

GEOGRAPHICAL LOCATION OF HAWAII PAROLE CASES

As of June 30, 2010

TYPE OF CASES:	<u>Locations</u>	<u>No. of Persons</u>
ACTIVE CASES:		1,792
(Cases receiving on-going parole supervision and reporting regularly.)	C&C of Honolulu	1,319
	Hawaii County	237
	Maui County	170
	Kauai County	66
INTERSTATE COMPACT:		
(Hawaii cases being supervised by Mainland)		145
RECIPROCAL SUPERVISION:		43
(Mainland cases being supervised by Hawaii)		
IN INSTITUTION:		102
(Hawaii cases awaiting sentencing, or sentenced to a Federal Penitentiary or consecutive State term)		
OTHER SUPERVISION:		151
(Deported, Protective Custody or Dual Supervision)		
SUSPENDED CASES:		70
(Whereabouts unknown, warrants of arrest issued.)		
TOTAL CASES:		1,862

STATISTICAL TABLE V **PAROLE REVOCATIONS**

July 1, 2009 through June 30, 2010

TOTAL NUMBER OF PAROLE REVOCATION HEARINGS	243
Total Number of Parole not Revoked	14
Total Number of Decisions Deferred	9
Total Number of Parole Revoked, Returned to Prison	220
Basis for Revocation:	
New Felony Conviction	3
Technical Violations of Parole	217

RECOMMITMENT RATE

July 1, 2009 through June 30, 2010

Based on total cases as of June 30, 2009

Total Revocation	220	10.15%
New Offenses Revocations (Felony Conviction)	3	0.14%
Technical Revocations	217	10.01%

STATISTICAL TABLE VI **DISCHARGED FROM PAROLE**

July 1, 2009 through June 30, 2010

	<u>FY-09</u>	<u>FY-10</u>
TOTAL NUMBER OF PERSONS DISCHARGED FROM PAROLE	435	335
Early Discharged	126	96
Full Expiration of Maximum Sentence (Sentence imposed by Court)	287	225
Discharge Due to Death While on Parole	22	14

STATISTICAL TABLE VII **PARDONS, GRANTED BY THE GOVERNOR**

July 1, 2009 through June 30, 2010

	<u>FY-09</u>	<u>FY-10</u>
Total Number of Pardon Investigations Conducted	58	68
Total Number of Persons Not Recommended for Pardon	38	40
Total Number of Persons Recommended for Pardon	20	28